

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Moraitis offered the following:

2  
3 **Amendment**

4 Remove lines 189-229 and insert:

5 (g) If a document is provided to a recipient solely  
6 through electronic posting pursuant to this subsection, the  
7 recipient must be able to access and print or download the  
8 document until the earlier of ~~must remain accessible to the~~  
9 ~~recipient on the electronic account or website for at least 4~~  
10 years after the date on which ~~that~~ the document is deemed  
11 received by the recipient or the date on which the recipient's  
12 access to the electronic account or website is terminated for  
13 any reason.

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14 1. If the recipient's access to the electronic account or  
15 website is terminated for any reason, such termination does not  
16 invalidate the notice or sending of any document previously  
17 posted on the electronic account or website in accordance with  
18 this subsection, but may toll the applicable limitations period  
19 as provided in subparagraph 2 ~~The electronic account or website~~  
20 ~~must allow the recipient to download or print the document. This~~  
21 ~~subsection does not affect or alter the duties of a trustee to~~  
22 ~~keep clear, distinct, and accurate records pursuant to s.~~  
23 ~~736.0810 or affect or alter the time periods for which the~~  
24 ~~trustee must maintain those records.~~

25 2. If the recipient's access to the electronic account or  
26 website is terminated by the sender before 4 years after the  
27 date on which the document was received by the recipient, any  
28 applicable limitations period set forth in s. 736.1008(1) or (2)  
29 that is still open is tolled for any information adequately  
30 disclosed in a document sent solely by electronic posting from  
31 the date on which the recipient's access to the electronic  
32 account or website was terminated by the sender until 45 days  
33 after the date on which the sender provides to the recipient by  
34 means other than electronic posting either:

35 a. Notification of such termination and that the recipient  
36 may request that any documents sent during the prior 4 years  
37 solely through electronic posting be provided to him or her by  
38 other means at no cost; or

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39           b. Notification of such termination and that the  
40 recipient's access to the electronic account or website is  
41 restored.

42  
43 Any applicable limitations period is further tolled from the  
44 date on which any request is made pursuant to sub-subparagraph  
45 2.a. until 20 days after the date on which the requested  
46 documents are provided to the recipient by means other than  
47 electronic posting.

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